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AND HECTOR VAZQUEZ
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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

12 JENNIE QUAN, individually and as
13 successor in interest to BENJAMIN
14 CHIN, deceased,

15 Plaintiff,

16 v.

17 COUNTY OF LOS ANGELES;
18 MARISOL BARAJAS; HECTOR
19 VAZQUEZ; and DOES 3-10, inclusive,
20 Defendants.

Case No. 2:24-cv-04805-MCS(KSx)

**DEFENDANTS COUNTY OF LOS
ANGELES', MARISOL BARAJAS',
AND HECTOR VAZQUEZ'S
ANSWER TO PLAINTIFF'S FIRST
AMENDED COMPLAINT:
DEMAND FOR JURY TRIAL**

[Assigned to Hon. Mark C. Scarsi,
Courtroom "7C"]

21 Defendants COUNTY OF LOS ANGELES, MARISOL BARAJAS, AND
22 HECTOR VAZQUEZ ("Defendants"), for themselves and no other person, firm or
23 corporation, answer the First Amended Complaint of Plaintiff JENNIE QUAN
24 ("Plaintiff") as follows:

25 **INTRODUCTION**

26 1. Answering Paragraph 1, Defendants lack sufficient knowledge or
27 information to form a belief concerning the truth of the factual allegations contained
28 therein and on that basis deny such allegations.

JURISDICTION AND VENUE

2. Answering Paragraph 2, Defendants admit that the United States Central District Court of California has jurisdiction over Plaintiff's causes of action. As to the remainder of the allegations contained in said paragraph, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendants deny each and every allegation.

3. Answering Paragraph 3, Defendants admit that venue is proper in the Central District of California. As to the remainder of the allegations contained in said paragraph, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations in said paragraph, and on that basis, deny the allegations contained therein.

PARTIES

4. Answering Paragraph 4, Defendants lack sufficient knowledge or information to form a belief concerning the truth of the factual allegations contained therein and on that basis deny such allegations.

5. Answering Paragraph 5, Defendants lack sufficient knowledge or information to form a belief concerning the truth of the factual allegations contained therein and on that basis deny such allegations.

6. Answering Paragraph 6, Defendants admit that the County of Los Angeles is and was a municipal corporation existing under the laws of the State of California. Defendants lack sufficient knowledge or information to form a belief concerning the truth of the factual allegations contained therein and on that basis deny such allegations. Paragraph 6 further contains legal conclusions and argument as to which no response is required.

7. Answering Paragraph 7, Defendants admit that Defendant Marisol Barajas was employed as a sheriff's deputy for LASD by the County of Los Angeles. As to the remainder of the allegations contained in said paragraph, Defendants are

1 without sufficient knowledge or information to form a belief as to the truth of the
2 allegations contained in said paragraph and on that basis, Defendants deny each and
3 every allegation contained herein.

4 8. Answering Paragraph 8, Defendants admit that Defendant Hector
5 Vasquez employed as a sheriff's deputy for LASD by the County of Los Angeles. As
6 to the remainder of the allegations contained in said paragraph, Defendants are
7 without sufficient knowledge or information to form a belief as to the truth of the
8 allegations contained in said paragraph and on that basis, Defendants deny each and
9 every allegation contained herein.

10 9. Answering Paragraph 9, Defendants lack sufficient knowledge or
11 information to form a belief concerning the truth of the factual allegations contained
12 therein and on that basis deny such allegations. Paragraph 9 further contains legal
13 conclusions and argument as to which no response is required.

14 10. Answering Paragraph 10, Defendants lack sufficient knowledge or
15 information to form a belief concerning the truth of the factual allegations contained
16 therein and on that basis deny such allegations. Paragraph 10 further contains legal
17 conclusions and argument as to which no response is required.

18 11. Answering Paragraph 11, Defendants lack sufficient knowledge or
19 information to form a belief concerning the truth of the factual allegations contained
20 therein and on that basis deny such allegations.

21 12. Answering Paragraph 12, Defendants lack sufficient knowledge or
22 information to form a belief concerning the truth of the factual allegations contained
23 therein and on that basis deny such allegations. Paragraph 12 further contains legal
24 conclusions and argument as to which no response is required.

25 13. Answering Paragraph 13, Defendants lack sufficient knowledge or
26 information to form a belief concerning the truth of the factual allegations contained
27 therein and on that basis deny such allegations. Paragraph 13 further contains legal
28 conclusions and argument as to which no response is required.

1 14. Answering Paragraph 14, Defendants lack sufficient knowledge or
2 information to form a belief concerning the truth of the factual allegations contained
3 therein and on that basis deny such allegations. Paragraph 14 further contains legal
4 conclusions and argument as to which no response is required.

5 15. Answering Paragraph 15, Defendants lack sufficient knowledge or
6 information to form a belief concerning the truth of the factual allegations contained
7 therein and on that basis deny such allegations. Paragraph 15 further contains legal
8 conclusions and argument as to which no response is required.

9 16. Answering Paragraph 16, Defendants lack sufficient knowledge or
10 information to form a belief concerning the truth of the factual allegations contained
11 therein and on that basis deny such allegations. Paragraph 16 further contains legal
12 conclusions and argument as to which no response is required.

13 17. Answering Paragraph 17, Defendants are without sufficient knowledge
14 or information to form a belief as to the truth of the allegations contained in said
15 paragraph, on that basis, deny each and every allegation against these Defendants
16 contained herein. Paragraph 17 further contains legal conclusions and argument as to
17 which no response is required.

18 **FACTS COMMON TO ALL CLAIMS FOR RELIEF**

19 18. Answering Paragraph 18, which incorporates by reference the
20 allegations of other paragraphs of the pleading, Defendants to the same extent
21 incorporate by reference the answers provided herein to those paragraphs.

22 19. Answering Paragraph 19, Defendants lack sufficient knowledge or
23 information to form a belief concerning the truth of the factual allegations contained
24 therein and on that basis deny such allegations. Paragraph 19 further contains legal
25 conclusions and argument as to which no response is required.

26 20. Answering Paragraph 20, Defendants lack sufficient knowledge or
27 information to form a belief concerning the truth of the factual allegations contained
28

1 therein and on that basis deny such allegations. Paragraph 20 further contains legal
2 conclusions and argument as to which no response is required.

3 21. Answering Paragraph 21, Defendants lack sufficient knowledge or
4 information to form a belief concerning the truth of the factual allegations contained
5 therein and on that basis deny such allegations. Paragraph 21 further contains legal
6 conclusions and argument as to which no response is required.

7 22. Answering Paragraph 22, Defendants lack sufficient knowledge or
8 information to form a belief concerning the truth of the factual allegations contained
9 therein and on that basis deny such allegations. Paragraph 22 further contains legal
10 conclusions and argument as to which no response is required.

11 23. Answering Paragraph 23, Defendants lack sufficient knowledge or
12 information to form a belief concerning the truth of the factual allegations contained
13 therein and on that basis deny such allegations. Paragraph 23 further contains legal
14 conclusions and argument as to which no response is required.

15 24. Answering Paragraph 24, Defendants lack sufficient knowledge or
16 information to form a belief concerning the truth of the factual allegations contained
17 therein and on that basis deny such allegations. Paragraph 24 further contains legal
18 conclusions and argument as to which no response is required.

19 25. Answering Paragraph 25, Defendants lack sufficient knowledge or
20 information to form a belief concerning the truth of the factual allegations contained
21 therein and on that basis deny such allegations. Paragraph 25 further contains legal
22 conclusions and argument as to which no response is required.

23 26. Answering Paragraph 26, Defendants lack sufficient knowledge or
24 information to form a belief concerning the truth of the factual allegations contained
25 therein and on that basis deny such allegations. Paragraph 26 further contains legal
26 conclusions and argument as to which no response is required.

27 27. Answering Paragraph 27, Defendants lack sufficient knowledge or
28 information to form a belief concerning the truth of the factual allegations contained

1 therein and on that basis deny such allegations. Paragraph 27 further contains legal
2 conclusions and argument as to which no response is required.

3 28. Answering Paragraph 28, Defendants lack sufficient knowledge or
4 information to form a belief concerning the truth of the factual allegations contained
5 therein and on that basis deny such allegations. Paragraph 28 further contains legal
6 conclusions and argument as to which no response is required.

7 **FIRST CLAIM FOR RELIEF**

8 **Unreasonable Search and Seizure – Excessive Force (42 U.S.C. § 1983)**

9 (Against Defendants MARISOL BARAJAS, HECTOR VAZQUEZ, and DOE
10 DEPUTIES)

11 29. Answering Paragraph 29, which incorporates by reference the
12 allegations of other paragraphs of the pleading, Defendants to the same extent
13 incorporate by reference the answers provided herein to those paragraphs.

14 30. Answering Paragraph 30, Defendants lack sufficient knowledge or
15 information to form a belief concerning the truth of the factual allegations contained
16 therein and on that basis deny such allegations. Paragraph 30 further contains legal
17 conclusions and argument as to which no response is required. Moreover, Plaintiff's
18 allegations in said paragraph are overbroad, vague, and ambiguous and thus
19 Defendants deny each and every remaining allegation in said paragraph.

20 31. Answering Paragraph 31, Defendants lack sufficient knowledge or
21 information to form a belief concerning the truth of the factual allegations contained
22 therein and on that basis deny such allegations. Paragraph 31 further contains legal
23 conclusions and argument as to which no response is required. Moreover, Plaintiff's
24 allegations in said paragraph are overbroad, vague, and ambiguous and thus
25 Defendants deny each and every remaining allegation in said paragraph.

26 32. Answering Paragraph 32, Defendants lack sufficient knowledge or
27 information to form a belief concerning the truth of the factual allegations contained
28 therein and on that basis deny such allegations. Paragraph 32 further contains legal

1 conclusions and argument as to which no response is required. Moreover, Plaintiff's
2 allegations in said paragraph are overbroad, vague, and ambiguous and thus
3 Defendants deny each and every remaining allegation in said paragraph.

4 33. Answering Paragraph 33, Defendants lack sufficient knowledge or
5 information to form a belief concerning the truth of the factual allegations contained
6 therein and on that basis deny such allegations. Paragraph 33 further contains legal
7 conclusions and argument as to which no response is required. Moreover, Plaintiff's
8 allegations in said paragraph are overbroad, vague, and ambiguous and thus
9 Defendants deny each and every remaining allegation in said paragraph.

10 34. Answering Paragraph 34, Defendants lack sufficient knowledge or
11 information to form a belief concerning the truth of the factual allegations contained
12 therein and on that basis deny such allegations. Paragraph 34 further contains legal
13 conclusions and argument as to which no response is required. Moreover, Plaintiff's
14 allegations in said paragraph are overbroad, vague, and ambiguous and thus
15 Defendants deny each and every remaining allegation in said paragraph.

16 35. Answering Paragraph 35, Defendants lack sufficient knowledge or
17 information to form a belief concerning the truth of the factual allegations contained
18 therein and on that basis deny such allegations. Paragraph 35 further contains legal
19 conclusions and argument as to which no response is required.

20 36. Answering Paragraph 36, Defendants lack sufficient knowledge or
21 information to form a belief concerning the truth of the factual allegations contained
22 therein and on that basis deny such allegations. Paragraph 36 further contains legal
23 conclusions and argument as to which no response is required. Moreover, Plaintiff's
24 allegations in said paragraph are overbroad, vague, and ambiguous and thus
25 Defendants deny each and every remaining allegation in said paragraph.

26 37. Answering Paragraph 37, Defendants are without sufficient knowledge
27 or information to form a belief as to the truth of the allegations contained in said
28 paragraph, on that basis, deny each and every allegation against Defendants contained

1 herein. Defendants further deny the allegations of said paragraph as they are vague.
2 Defendants deny that Plaintiff is entitled to an award of damages, or any other form
3 of relief as requested in the Complaint as a result of any acts or omissions by
4 answering Defendants. Paragraph 37 further contains legal conclusions and argument
5 as to which no response is required.

6 **SECOND CLAIM FOR RELIEF**

7 **Unreasonable Search and Seizure – Denial of Medical Care (42 U.S.C. § 1983)**
8 (Against Defendants MARISOL BARAJAS, HECTOR VAZQUEZ, and DOE
9 DEPUTIES)

10 38. Answering Paragraph 38, which incorporates by reference the
11 allegations of other paragraphs of the pleading, Defendants to the same extent
12 incorporate by reference the answers provided herein to those paragraphs.

13 39. Answering Paragraph 39, Defendants lack sufficient knowledge or
14 information to form a belief concerning the truth of the factual allegations contained
15 therein and on that basis deny such allegations. Paragraph 39 further contains legal
16 conclusions and argument as to which no response is required. Moreover, Plaintiff's
17 allegations in said paragraph are overbroad, vague, and ambiguous and thus
18 Defendants deny each and every remaining allegation in said paragraph.

19 40. Answering Paragraph 40, Defendants lack sufficient knowledge or
20 information to form a belief concerning the truth of the factual allegations contained
21 therein and on that basis deny such allegations. Paragraph 40 further contains legal
22 conclusions and argument as to which no response is required. Moreover, Plaintiff's
23 allegations in said paragraph are overbroad, vague, and ambiguous and thus
24 Defendants deny each and every remaining allegation in said paragraph.

25 41. Answering Paragraph 41, Defendants lack sufficient knowledge or
26 information to form a belief concerning the truth of the factual allegations contained
27 therein and on that basis deny such allegations. Paragraph 41 further contains legal
28 conclusions and argument as to which no response is required.

1 42. Answering Paragraph 42, Defendants lack sufficient knowledge or
2 information to form a belief concerning the truth of the factual allegations contained
3 therein and on that basis deny such allegations. Paragraph 42 further contains legal
4 conclusions and argument as to which no response is required. Moreover, Plaintiff's
5 allegations in said paragraph are overbroad, vague, and ambiguous and thus
6 Defendants deny each and every remaining allegation in said paragraph.

7 43. Answering Paragraph 43, Defendants lack sufficient knowledge or
8 information to form a belief concerning the truth of the factual allegations contained
9 therein and on that basis deny such allegations. Paragraph 43 further contains legal
10 conclusions and argument as to which no response is required. Moreover, Plaintiff's
11 allegations in said paragraph are overbroad, vague, and ambiguous and thus
12 Defendants deny each and every remaining allegation in said paragraph.

13 44. Answering Paragraph 44, Defendants lack sufficient knowledge or
14 information to form a belief concerning the truth of the factual allegations contained
15 therein and on that basis deny such allegations. Paragraph 44 further contains legal
16 conclusions and argument as to which no response is required.

17 45. Answering Paragraph 45, Defendants lack sufficient knowledge or
18 information to form a belief concerning the truth of the factual allegations contained
19 therein and on that basis deny such allegations. Paragraph 45 further contains legal
20 conclusions and argument as to which no response is required. Moreover, Plaintiff's
21 allegations in said paragraph are overbroad, vague, and ambiguous and thus
22 Defendants deny each and every remaining allegation in said paragraph.

23 46. Answering Paragraph 46, Defendants are without sufficient knowledge
24 or information to form a belief as to the truth of the allegations contained in said
25 paragraph, on that basis, deny each and every allegation against Defendants contained
26 herein. Defendants further deny the allegations of said paragraph as they are vague.
27 Defendants deny that Plaintiff is entitled to an award of damages, or any other form
28

1 of relief as requested in the Complaint as a result of any acts or omissions by this
2 answering Defendant.

3 **THIRD CLAIM FOR RELIEF**

4 **Municipal Liability – Ratification (42 U.S.C. § 1983)**

5 (Against Defendants COUNTY and DOES 6-10)

6 47. Answering Paragraph 47, which incorporates by reference the
7 allegations of other paragraphs of the pleading, Defendants to the same extent
8 incorporate by reference the answers provided herein to those paragraphs.

9 48. Answering Paragraph 48, Defendants lack sufficient knowledge or
10 information to form a belief concerning the truth of the factual allegations contained
11 therein and on that basis deny such allegations. Paragraph 48 further contains legal
12 conclusions and argument as to which no response is required.

13 49. Answering Paragraph 49, Defendants lack sufficient knowledge or
14 information to form a belief concerning the truth of the factual allegations contained
15 therein and on that basis deny such allegations. Paragraph 49 further contains legal
16 conclusions and argument as to which no response is required.

17 50. Answering Paragraph 50, Defendants are without sufficient knowledge
18 or information to form a belief as to the truth of the allegations contained in said
19 paragraph and on that basis deny each and every allegation contained therein.
20 Moreover, Plaintiff's allegations in said paragraph are overbroad, vague and
21 ambiguous and thus Defendants deny each and every remaining allegation in said
22 paragraph.

23 51. Answering Paragraph 51, Defendants lack sufficient knowledge or
24 information to form a belief concerning the truth of the factual allegations contained
25 therein and on that basis deny such allegations. Paragraph 51 further contains legal
26 conclusions and argument as to which no response is required.

27 52. Defendants are without sufficient knowledge or information to form a
28 belief as to the truth of the allegations contained in said paragraph, on that basis, deny

1 each and every allegation against these Defendants contained herein. Defendants
2 further deny the allegations of said paragraph as they are vague. Defendants deny that
3 Plaintiff is entitled to an award of damages, or any other form of relief as requested
4 in the Complaint as a result of any acts or omissions by this answering Defendant.

5 53. Defendants are without sufficient knowledge or information to form a
6 belief as to the truth of the allegations contained in said paragraph, on that basis, deny
7 each and every allegation against these Defendants contained herein. Defendants
8 further deny the allegations of said paragraph as they are vague. Defendants deny that
9 Plaintiff is entitled to an award of damages, or any other form of relief as requested
10 in the Complaint as a result of any acts or omissions by this answering Defendant.

11 54. Defendants are without sufficient knowledge or information to form a
12 belief as to the truth of the allegations contained in said paragraph, on that basis, deny
13 each and every allegation against these Defendants contained herein. Defendants
14 further deny the allegations of said paragraph as they are vague. Defendants deny that
15 Plaintiff is entitled to an award of damages, or any other form of relief as requested
16 in the Complaint as a result of any acts or omissions by this answering Defendant.

17 **FOURTH CLAIM FOR RELIEF**

18 **Municipal Liability – Failure to Train (42 U.S.C. § 1983)**

19 (Against Defendants COUNTY and DOES 6-10)

20 55. Answering Paragraph 55, which incorporates by reference the
21 allegations of other paragraphs of the pleading, Defendants to the same extent
22 incorporate by reference the answers provided herein to those paragraphs.

23 56. Answering Paragraph 56, Defendants lack sufficient knowledge or
24 information to form a belief concerning the truth of the factual allegations contained
25 therein and on that basis deny such allegations. Paragraph 56 further contains legal
26 conclusions and argument as to which no response is required.

27 57. Answering Paragraph 57, Defendants lack sufficient knowledge or
28 information to form a belief concerning the truth of the factual allegations contained

1 therein and on that basis deny such allegations. Paragraph 57 further contains legal
2 conclusions and argument as to which no response is required.

3 58. Answering Paragraph 58, Defendants deny each and every allegation
4 contained therein. Moreover, Plaintiff's allegations in said paragraph are overbroad,
5 vague and ambiguous and thus Defendants deny each and every remaining allegation
6 in said paragraph.

7 59. Answering Paragraph 59, Defendants deny each and every allegation
8 contained therein. Moreover, Plaintiff's allegations in said paragraph are overbroad,
9 vague and ambiguous and thus Defendants deny each and every remaining allegation
10 in said paragraph.

11 60. Answering Paragraph 60, Defendants deny each and every allegation
12 contained therein. Moreover, Plaintiff's allegations in said paragraph are overbroad,
13 vague and ambiguous and thus Defendants deny each and every remaining allegation
14 in said paragraph.

15 61. Answering Paragraph 61, Defendants are without sufficient knowledge
16 or information to form a belief as to the truth of the allegations contained in said
17 paragraph, on that basis, deny each and every allegation against these Defendants
18 contained herein. Defendants further deny the allegations of said paragraph as they
19 are vague. Defendants deny that Plaintiff is entitled to an award of damages, or any
20 other form of relief as requested in the Complaint as a result of any acts or omissions
21 by this answering Defendant.

22 62. Answering Paragraph 62, Defendants are without sufficient knowledge
23 or information to form a belief as to the truth of the allegations contained in said
24 paragraph, on that basis, deny each and every allegation against these Defendants
25 contained herein. Defendants further deny the allegations of said paragraph as they
26 are vague. Defendants deny that Plaintiff is entitled to an award of damages, or any
27 other form of relief as requested in the Complaint as a result of any acts or omissions
28 by this answering Defendant.

63. Answering Paragraph 63, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, on that basis, deny each and every allegation against these Defendants contained herein. Defendants further deny the allegations of said paragraph as they are vague. Defendants deny that Plaintiff is entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by this answering Defendant.

FIFTH CLAIM FOR RELIEF

Municipal Liability – Unconstitutional Custom or Policy (42 U.S.C. § 1983)

(Against Defendants COUNTY and DOES 6-10)

64. Answering Paragraph 64, which incorporates by reference the allegations of other paragraphs of the pleading, Defendants to the same extent incorporate by reference the answers provided herein to those paragraphs.

65. Answering Paragraph 65, Defendants lack sufficient knowledge or information to form a belief concerning the truth of the factual allegations contained therein and on that basis deny such allegations. Paragraph 65 further contains legal conclusions and argument as to which no response is required.

66. Answering Paragraph 66, Defendants lack sufficient knowledge or information to form a belief concerning the truth of the factual allegations contained therein and on that basis deny such allegations. Paragraph 66 further contains legal conclusions and argument as to which no response is required. Moreover, Plaintiff's allegations in said paragraph are overbroad, vague, and ambiguous and thus Defendants deny each and every remaining allegation in said paragraph.

67. Answering Paragraph 67, Defendants lack sufficient knowledge or information to form a belief concerning the truth of the factual allegations contained therein and on that basis deny such allegations. Paragraph 67 further contains legal conclusions and argument as to which no response is required. Moreover, Plaintiff's

1 allegations in said paragraph are overbroad, vague, and ambiguous and thus
2 Defendants deny each and every remaining allegation in said paragraph.

3 68. Answering Paragraph 68, Defendants deny each and every allegation
4 contained therein.

5 69. Answering Paragraph 69, Defendants deny each and every allegation
6 contained therein. Moreover, Plaintiff's allegations in said paragraph are overbroad,
7 vague and ambiguous and thus Defendants deny each and every remaining allegation
8 in said paragraph.

9 70. Answering Paragraph 70, Defendants deny each and every allegation
10 contained therein. Moreover, Plaintiff's allegations in said paragraph are overbroad,
11 vague and ambiguous and thus Defendants deny each and every remaining allegation
12 in said paragraph.

13 71. Answering Paragraph 71, Defendants are without sufficient knowledge
14 or information to form a belief as to the truth of the allegations contained in said
15 paragraph, on that basis, deny each and every allegation against these Defendants
16 contained herein. Defendants further deny the allegations of said paragraph as they
17 are vague. Defendants deny that Plaintiff is entitled to an award of damages, or any
18 other form of relief as requested in the Complaint as a result of any acts or omissions
19 by this answering Defendant.

20 72. Answering Paragraph 72, Defendants are without sufficient knowledge
21 or information to form a belief as to the truth of the allegations contained in said
22 paragraph, on that basis, deny each and every allegation against these Defendants
23 contained herein. Defendants further deny the allegations of said paragraph as they
24 are vague. Defendants deny that Plaintiff is entitled to an award of damages, or any
25 other form of relief as requested in the Complaint as a result of any acts or omissions
26 by this answering Defendant.

27 73. Answering Paragraph 73, Defendants are without sufficient knowledge
28 or information to form a belief as to the truth of the allegations contained in said

1 paragraph, on that basis, deny each and every allegation against these Defendants
2 contained herein. Defendants further deny the allegations of said paragraph as they
3 are vague. Defendants deny that Plaintiff is entitled to an award of damages, or any
4 other form of relief as requested in the Complaint as a result of any acts or omissions
5 by this answering Defendant.

6 **SIXTH CLAIM FOR RELIEF**

7 **Battery (Wrongful Death)**

8 (Against Defendants COUNTY, BARAJAS , VAZQUEZ, and DOE DEPUTIES)

9 74. Answering Paragraph 74, which incorporates by reference the
10 allegations of other paragraphs of the pleading, Defendants to the same extent
11 incorporate by reference the answers provided herein to those paragraphs.

12 75. Answering Paragraph 75, Defendants lack sufficient knowledge or
13 information to form a belief concerning the truth of the factual allegations contained
14 therein and on that basis deny such allegations. Paragraph 75 further contains legal
15 conclusions and argument as to which no response is required.

16 76. Answering Paragraph 76, Defendants lack sufficient knowledge or
17 information to form a belief concerning the truth of the factual allegations contained
18 therein and on that basis deny such allegations. Paragraph 76 further contains legal
19 conclusions and argument as to which no response is required. Moreover, Plaintiff's
20 allegations in said paragraph are overbroad, vague, and ambiguous and thus
21 Defendants deny each and every remaining allegation in said paragraph.

22 77. Answering Paragraph 77, Defendants lack sufficient knowledge or
23 information to form a belief concerning the truth of the factual allegations contained
24 therein and on that basis deny such allegations. Paragraph 77 further contains legal
25 conclusions and argument as to which no response is required. Moreover, Plaintiff's
26 allegations in said paragraph are overbroad, vague, and ambiguous and thus
27 Defendants deny each and every remaining allegation in said paragraph.
28

1 78. Answering Paragraph 78, Defendants are without sufficient knowledge
2 or information to form a belief as to the truth of the allegations contained in said
3 paragraph, and on that basis, Defendants deny each and every allegation. Paragraph
4 78 further contains legal conclusions and argument as to which no response is
5 required.

6 79. Answering Paragraph 79, Defendants are without sufficient knowledge
7 or information to form a belief as to the truth of the allegations contained in said
8 paragraph, on that basis, deny each and every allegation against these Defendants
9 contained herein. Defendants further deny the allegations of said paragraph as they
10 are vague. Defendants deny that Plaintiff is entitled to an award of damages, or any
11 other form of relief as requested in the Complaint as a result of any acts or omissions
12 by this answering Defendant.

13 80. Answering Paragraph 80, Defendants are without sufficient knowledge
14 or information to form a belief as to the truth of the allegations contained in said
15 paragraph, on that basis, deny each and every allegation against these Defendants
16 contained herein. Defendants further deny the allegations of said paragraph as they
17 are vague. Defendants deny that Plaintiff is entitled to an award of damages, or any
18 other form of relief as requested in the Complaint as a result of any acts or omissions
19 by this answering Defendant.

20 **SEVENTH CLAIM FOR RELIEF**

21 **Negligence (Wrongful Death)**

22 (Against all Defendants)

23 81. Answering Paragraph 81, which incorporates by reference the
24 allegations of other paragraphs of the pleading, Defendants to the same extent
25 incorporate by reference the answers provided herein to those paragraphs.

26 82. Answering Paragraph 82, Defendants are without sufficient knowledge
27 or information to form a belief as to the truth of the allegations contained in said
28 paragraph, and on that basis, Defendants deny each and every allegation. Paragraph

82 further contains legal conclusions and argument as to which no response is required. Moreover, Plaintiff's allegations in said paragraph are overbroad, vague, and ambiguous and thus Defendants deny each and every remaining allegation in said paragraph.

83. Answering Paragraph 83, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, on that basis, deny each and every allegation against these Defendants contained herein. Defendants further deny the allegations of said paragraph as they are vague. Defendants deny that Plaintiff is entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by this answering Defendant.

84. Answering Paragraph 84, Defendants are without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, on that basis, deny each and every allegation against these Defendants contained herein. Defendants further deny the allegations of said paragraph as they are vague. Defendants deny that Plaintiff is entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by this answering Defendant.

EIGHTH CLAIM FOR RELIEF

Violation of Cal. Civil Code § 52.1 (Bane Act)

(Against All Defendants)

85. Answering Paragraph 85, which incorporates by reference the allegations of other paragraphs of the pleading, Defendants to the same extent incorporate by reference the answers provided herein to those paragraphs.

86. Answering Paragraph 86, Defendants lack sufficient knowledge or information to form a belief concerning the truth of the factual allegations contained therein and on that basis deny such allegations. Paragraph 86 further contains legal conclusions and argument as to which no response is required.

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1 87. Answering Paragraph 87, Defendants are without sufficient knowledge
2 or information to form a belief as to the truth of the allegations contained in said
3 paragraph, on that basis, deny each and every allegation against these Defendants
4 contained herein. Defendants further deny the allegations of said paragraph as they
5 are vague. Paragraph 87 further contains legal conclusions and argument as to which
6 no response is required. Moreover, Plaintiff's allegations in said paragraph are
7 overbroad, vague, and ambiguous and thus Defendants deny each and every
8 remaining allegation in said paragraph.

9 88. Answering Paragraph 88, Defendants are without sufficient knowledge
10 or information to form a belief as to the truth of the allegations contained in said
11 paragraph, on that basis, deny each and every allegation against these Defendants
12 contained herein. Defendants further deny the allegations of said paragraph as they
13 are vague. Paragraph 88 further contains legal conclusions and argument as to which
14 no response is required. Moreover, Plaintiff's allegations in said paragraph are
15 overbroad, vague, and ambiguous and thus Defendants deny each and every
16 remaining allegation in said paragraph.

17 89. Answering Paragraph 89, Defendants are without sufficient knowledge
18 or information to form a belief as to the truth of the allegations contained in said
19 paragraph, on that basis, deny each and every allegation against these Defendants
20 contained herein. Defendants further deny the allegations of said paragraph as they
21 are vague. Paragraph 89 further contains legal conclusions and argument as to which
22 no response is required. Moreover, Plaintiff's allegations in said paragraph are
23 overbroad, vague, and ambiguous and thus Defendants deny each and every
24 remaining allegation in said paragraph.

25 90. Answering Paragraph 90, Defendants are without sufficient knowledge
26 or information to form a belief as to the truth of the allegations contained in said
27 paragraph, on that basis, deny each and every allegation against these Defendants
28 contained herein. Defendants further deny the allegations of said paragraph as they

1 are vague. Paragraph 90 further contains legal conclusions and argument as to which
2 no response is required. Moreover, Plaintiff's allegations in said paragraph are
3 overbroad, vague, and ambiguous and thus Defendants deny each and every
4 remaining allegation in said paragraph.

5 91. Answering Paragraph 91, Defendants are without sufficient knowledge
6 or information to form a belief as to the truth of the allegations contained in said
7 paragraph, on that basis, deny each and every allegation against these Defendants
8 contained herein. Defendants further deny the allegations of said paragraph as they
9 are vague. Paragraph 91 further contains legal conclusions and argument as to which
10 no response is required. Moreover, Plaintiff's allegations in said paragraph are
11 overbroad, vague, and ambiguous and thus Defendants deny each and every
12 remaining allegation in said paragraph.

13 92. Answering Paragraph 92, Defendants are without sufficient knowledge
14 or information to form a belief as to the truth of the allegations contained in said
15 paragraph, on that basis, deny each and every allegation against these Defendants
16 contained herein. Defendants further deny the allegations of said paragraph as they
17 are vague. Paragraph 92 further contains legal conclusions and argument as to which
18 no response is required. Moreover, Plaintiff's allegations in said paragraph are
19 overbroad, vague, and ambiguous and thus Defendants deny each and every
20 remaining allegation in said paragraph.

21 93. Answering Paragraph 93, Defendants are without sufficient knowledge
22 or information to form a belief as to the truth of the allegations contained in said
23 paragraph, and on that basis, Defendants deny each and every allegation. Paragraph
24 93 further contains legal conclusions and argument as to which no response is
25 required.

26 94. Answering Paragraph 94, Defendants are without sufficient knowledge
27 or information to form a belief as to the truth of the allegations contained in said
28 paragraph, on that basis, deny each and every allegation against these Defendants

1 contained herein. Defendants further deny the allegations of said paragraph as they
2 are vague. Paragraph 94 further contains legal conclusions and argument as to which
3 no response is required. Moreover, Plaintiff's allegations in said paragraph are
4 overbroad, vague, and ambiguous and thus Defendants deny each and every
5 remaining allegation in said paragraph.

6 95. Answering Paragraph 95, Defendants are without sufficient knowledge
7 or information to form a belief as to the truth of the allegations contained in said
8 paragraph, on that basis, deny each and every allegation against these Defendants
9 contained herein. Defendants further deny the allegations of said paragraph as they
10 are vague. Defendants deny that Plaintiff is entitled to an award of damages, or any
11 other form of relief as requested in the Complaint as a result of any acts or omissions
12 by this answering Defendant.

13 96. Answering Paragraph 96, Defendants are without sufficient knowledge
14 or information to form a belief as to the truth of the allegations contained in said
15 paragraph, on that basis, deny each and every allegation against these Defendants
16 contained herein. Defendants further deny the allegations of said paragraph as they
17 are vague. Defendants deny that Plaintiff is entitled to an award of damages, or any
18 other form of relief as requested in the Complaint as a result of any acts or omissions
19 by this answering Defendant.

20 **PRAYER FOR RELIEF**

21 In an answer to Plaintiff's Prayer for Relief, Letters A-I, Defendants deny
22 generally and specifically each and every allegation contained therein as it refers to
23 answering Defendants, and further deny that Plaintiff is entitled to an award of
24 damages, including punitive damages, equitable relief or any other relief as a result
25 of any act or omission by answering Defendants.

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AFFIRMATIVE DEFENSES

As for its separate affirmative defenses, Defendants allege as follows:

FIRST AFFIRMATIVE DEFENSE

(Failure to State a Cause of Action)

As a separate and distinct affirmative defense, answering Defendants allege the operative First Amended Complaint fails to state facts sufficient to constitute a cause of action.

SECOND AFFIRMATIVE DEFENSE

(Failure to Comply with the Governmental Tort Claims Act)

As a separate and distinct affirmative defense, answering Defendants allege that Plaintiff failed to comply with the Government Tort Claims Act, including but not limited to those provisions contained in California Government Code sections 911.2, 945.4, 945.6, 950.2 and 950.6.

THIRD AFFIRMATIVE DEFENSE

(Statute of Limitations)

As a separate and distinct affirmative defense, answering Defendants allege that Plaintiff's claims are barred by the applicable statute of limitations required for ADA claims.

FOURTH AFFIRMATIVE DEFENSE

(Non-Policy Makers)

As a separate and distinct affirmative defense, answering Defendants allege that they are not liable for alleged violation by non-policymakers of civil or constitutional rights.

FIFTH AFFIRMATIVE DEFENSE

(Consent by Plaintiff)

As a separate and distinct affirmative defense, Plaintiff agreed to, and participated in, those actions which Plaintiff claims to have caused injury or damage. Since such participation and consent were given knowingly and voluntarily, Plaintiff's

1 claims are invalid.

2 **SIXTH AFFIRMATIVE DEFENSE**

3 **(Contributory Negligence)**

4 As a separate and distinct affirmative defense, answering Defendants place in
5 issue the negligence, if any, of all persons which contributed in any degree to the
6 happening of the incident(s) alleged in the operative Complaint, and the degree that
7 such negligence contributed to the incident(s), damages, and/or the injuries sustained
8 as a result of said incident.

9 **SEVENTH AFFIRMATIVE DEFENSE**

10 **(Mitigation of Damages)**

11 As a separate and distinct affirmative defense, answering Defendants allege
12 Plaintiff failed to take reasonable measures to decrease or eliminate the damages of
13 which Plaintiff now complains.

14 **EIGHTH AFFIRMATIVE DEFENSE**

15 **(Exercise of Reasonable Care and Good Faith)**

16 As a separate and distinct affirmative defense, answering Defendants allege, at
17 all times relevant herein, Defendants exercised reasonable care and good faith and its
18 conduct was absolutely and/or conditionally legally privileged, and/or justified.
19 Defendants did not know, and in the exercise of reasonable care could not have
20 known, of the alleged acts or allegations in connection within the conditions which
21 are the subject of the Operative Complaint. Defendants therefore allege that they are
22 not liable for acts made in good faith and under the apparent authority of an enactment
23 that is unconstitutional, invalid or inapplicable and further not liable pursuant to
24 Government Code section 820.6.

25 **NINTH AFFIRMATIVE DEFENSE**

26 **(Third-Party Negligence)**

27 As a separate and distinct affirmative defense, this answering Defendants allege
28 Plaintiff's alleged injuries, if any, were caused by the negligence, carelessness, fault,

1 strict liability, acts or omissions of third parties for which this answering Defendants
2 have no legal responsibility.

3 **TENTH AFFIRMATIVE DEFENSE**

4 **(Third-Party Negligence/Proportionate Recovery)**

5 As a separate and distinct affirmative defense, answering Defendants allege
6 Plaintiff's damages, if any, contained in the operative Complaint, were caused by
7 persons and/or entities other than answering Defendants, who failed to exercise
8 ordinary care, caution or prudence and were negligent in their dealing with Plaintiff,
9 and that at all times, said persons or entities were acting without consent,
10 authorization, knowledge and/or ratification of answering Defendants. Accordingly,
11 any recovery against Defendants by Plaintiff, if any, must be precluded and/or
12 reduced in a proportionate amount to the fault on the part of such other persons and/or
13 entities.

14 **ELEVENTH AFFIRMATIVE DEFENSE**

15 **(Intervening and Superseding Actions)**

16 As a separate and distinct affirmative defense, answering Defendants allege the
17 injuries and damages sustained by Plaintiff if any, were proximately caused by the
18 intervening and superseding actions of others, which intervening and superseding
19 actions bar and/or diminish Plaintiff's recovery, if any, against answering Defendant.

20 **TWELFTH AFFIRMATIVE DEFENSE**

21 **(No Causal Connection)**

22 As a separate and distinct affirmative defense, answering Defendants allege
23 Plaintiff failed to plead or describe a causal connection between the alleged damages
24 and the alleged acts or omissions of answering Defendants.

25 **THIRTEENTH AFFIRMATIVE DEFENSE**

26 **(Comparative Fault)**

27 As a separate and distinct affirmative defense, answering Defendants allege
28 that any injury alleged in the operative Complaint was directly or proximately caused

1 and contributed to by the actions of other persons. Therefore, Plaintiff's recovery
2 against Defendants, if any, should be reduced in proportion to the percentage of
3 responsibility attributable to persons or entities other than Defendants.

4 **FOURTEENTH AFFIRMATIVE DEFENSE**

5 **(Substantial Factor)**

6 As a separate and distinct affirmative defense, answering Defendants allege
7 that the negligence, if any, of Defendants were not a substantial factor in bringing
8 about Plaintiff's alleged injuries and, therefore, was not a contributing cause thereof,
9 but was superseded by the negligence of others, whose negligence was an
10 independent, intervening and proximate cause of any injury or damage suffered by
11 the Plaintiff.

12 **FIFTEENTH AFFIRMATIVE DEFENSE**

13 **(Cause in Fact)**

14 As a separate and distinct affirmative defense, answering Defendants allege the
15 Operative Complaint, and each claim contained therein, is barred on the ground that
16 answering Defendants were not the cause in fact of any alleged damage, injury or loss
17 to Plaintiff, if any.

18 **SIXTEENTH AFFIRMATIVE DEFENSE**

19 **(Substantial Cause)**

20 As a separate and distinct affirmative defense, answering Defendants allege
21 that the Operative Complaint, and each claim contained therein, is barred on the
22 ground that that answering Defendants were not a substantial cause of any alleged
23 damage, injury or loss to Plaintiff.

24 **SEVENTEENTH AFFIRMATIVE DEFENSE**

25 **(Claims against Government Entities)**

26 As a separate and distinct affirmative defense, answering Defendants allege this
27 action is barred pursuant to Government Code sections 905, 911.4, 945.4, and 945.6.
28 et seq.

EIGHTEENTH AFFIRMATIVE DEFENSE

(Immunity)

As a separate and distinct affirmative defense, answering Defendants allege that Plaintiff's claims against these Defendants are barred as Defendants are immune from the allegations set forth in the operative Complaint.

NINETEENTH AFFIRMATIVE DEFENSE

(Sovereign Immunity)

As a separate and distinct affirmative defense, answering Defendants allege that it is not liable for alleged violation by non-policymakers of civil or constitutional rights.

TWENTIETH AFFIRMATIVE DEFENSE

(Government Code Title 1, Division 3.6, part 2, Chapter 1)

As a separate and distinct affirmative defense, answering Defendants allege that the operative Complaint and each purported cause of action contained therein, does not state facts sufficient to constitute a cause of action.

TWENTY-FIRST AFFIRMATIVE DEFENSE

(Governmental Immunities)

As a separate and distinct affirmative defense, answering Defendants allege that the operative Complaint, and each cause of action contained therein, is barred as Defendants are entitled to statutory immunities under Government Code sections 815, 815.2, 815.6, 818, 818.2, 818.6, 818.8, 820, 820.2, 820.4, 820.6, 820.8, 821, 821.4, and 840.

TWENTY-SECOND AFFIRMATIVE DEFENSE

(Immunity for Adoption or Failure to Adopt or Enforce a Law)

As a separate and distinct affirmative defense, answering Defendants allege that it is not liable pursuant to statute by operation of Government Code sections 818.2 or 821 for the adoption or failure to adopt or enforce any law.

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TWENTY-THIRD AFFIRMATIVE DEFENSE

(Immunity for Acts of Third Parties)

Defendants allege that they are not liable for the negligent act or omission of a third party or another person, pursuant to statute by operation of Government Code sections 820.8, 815.2(b) and 815.4.

TWENTY-FOURTH AFFIRMATIVE DEFENSE

(Acts or Omissions by Others)

As a separate and distinct affirmative defense, answering Defendants allege that they are not liable by operation of Government Code sections 815.2(b) and 820.8, in that the injuries and damages, if any, were caused by the acts or omissions of other persons, not employees or agents of Defendant COUNTY OF LOS ANGELES.

TWENTY-FIFTH AFFIRMATIVE DEFENSE

(Absolute Immunity)

As a separate and distinct affirmative defense, answering Defendants allege that Plaintiff's claims against answering Defendants are barred as Defendants have absolute immunity from the allegations set forth in the operative Complaint.

TWENTY-SIXTH AFFIRMATIVE DEFENSE

(Qualified Immunity)

As a separate and distinct affirmative defense, answering Defendants allege that Plaintiff's claims against this answering Defendants are barred as Defendants have qualified immunity from the allegations set forth in the operative Complaint.

TWENTY-SEVENTH AFFIRMATIVE DEFENSE

(Immunity for Civil Damages)

As a separate and distinct affirmative defense, answering Defendants allege that they are shielded from liability for civil damages insofar as their conduct did not violate any statutory or constitutional right of which a reasonable person would have known.

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TWENTY-EIGHTH AFFIRMATIVE DEFENSE

(Immunity for Execution or Enforcement of Laws)

Defendants allege that they are not liable pursuant to statute by operation of *Government Code* sections 815.2(b), 815.4 and 820.4 for the execution or enforcement of the law by public officers or employees exercising due care.

TWENTY-NINTH AFFIRMATIVE DEFENSE

(Other Immunities for Public Entities)

Defendants allege that they are not liable for any injuries alleged in the operative Complaint pursuant to statute by operation of *Government Code* section 815.3.

THIRTIETH AFFIRMATIVE DEFENSE

(Legally Privileged or Justified)

Defendants allege that the conduct, if any, which is the subject of Plaintiff's operative Complaint was absolutely and/or conditionally legally privileged and/or justified. Furthermore, all actions by Defendants were in good faith and reasonable.

THIRTY-FIRST AFFIRMATIVE DEFENSE

(Statute of Limitations)

As a separate and distinct affirmative defense, answering Defendants allege the operative Complaint is barred by the applicable statute of limitations including, but not limited to *California Code of Civil Procedure* sections 225.1, 340, 340.8, 342, 335.1, 583.210, and/or *Government Code* section 810 et seq.

THIRTY-SECOND AFFIRMATIVE DEFENSE

(Uncertainty)

As a separate and distinct affirmative defense, answering Defendants allege the causes of action in the operative Complaint, and each of them, are uncertain and ambiguous as to the Plaintiff's claims for damages against answering Defendants.

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THIRTY-THIRD AFFIRMATIVE DEFENSE

(Unclean Hands)

As a separate and distinct affirmative defense, answering Defendants allege that Plaintiff is barred from recovery under the operative Complaint, and each claim for relief therein, by the doctrine of unclean hands.

THIRTY-FOURTH AFFIRMATIVE DEFENSE

(Estoppel and Res Judicata)

As a separate and distinct affirmative defense, answering Defendants allege that Plaintiff is barred from recovery under the operative Complaint, and each claim for relief therein, by the doctrines of estoppel and res judicata.

THIRTY-FIFTH AFFIRMATIVE DEFENSE

(Indemnification)

As a separate and distinct affirmative defense, if any liability exists on the part of answering Defendants to Plaintiff, such liability is to be completely or partially indemnified by another party.

THIRTY-SIXTH AFFIRMATIVE DEFENSE

(Laches)

As a separate and distinct affirmative defense, answering Defendants allege that the operative Complaint, and each cause of action contained therein, is barred pursuant to the equitable doctrine of laches.

THIRTY-SEVENTH AFFIRMATIVE DEFENSE

(Waiver)

As a separate and distinct affirmative defense, answering Defendants allege that the operative Complaint, and each claim contained therein, is barred pursuant to the equitable doctrine of waiver.

THIRTY-EIGHTH AFFIRMATIVE DEFENSE

(Joint and Several Obligations)

As a separate and distinct affirmative defense, any recovery by Plaintiff

pursuant to the operative Complaint, and each purported cause of action contained therein, is governed, controlled, and limited by the provisions of California Civil Code sections 1431 *et seq.*

THIRTY-NINTH AFFIRMATIVE DEFENSE

(Negligent Hiring by Others)

As a separate and distinct affirmative defense, answering Defendants allege that other parties are liable for the hiring and supervision of their employees, general contractor, professionals, and other subcontractors, which were negligent and actually caused all or some of the damages suffered by Plaintiff herein.

FORTIETH AFFIRMATIVE DEFENSE

(Exercised Reasonable Diligence)

As a separate and distinct affirmative defense, answering Defendants allege that they are not liable for the failure to discharge a mandatory duty in that it exercised reasonable diligence in the discharge of all duties as provided by Government Code sections 815.2(b) and 815.6.

FORTY-FIRST AFFIRMATIVE DEFENSE

(Course and Scope)

As a separate and distinct affirmative defense, answering Defendants allege that any recovery on the operative Complaint is barred to the extent that the wrongful conduct of any employee(s) of answering Defendants alleged by Plaintiff were outside the course and scope of employment.

FORTY-SECOND AFFIRMATIVE DEFENSE

(Immunity for Discretionary Acts)

As a separate and distinct affirmative defense, answering Defendants allege that pursuant to Government Code sections 815(b), 815.4 and 820.2, a public entity and its employees, officers and agents are not responsible for injury and damages resulting from the act or omission that was a result of an exercise of discretion vested in such officer, employee or agent.

FORTY-THIRD AFFIRMATIVE DEFENSE

(No Entitlement to Exemplary/Punitive Damages)

As a separate and distinct affirmative defense, answering Defendants allege that as a public entity, it is not liable for punitive damages pursuant to statute by operation of Government Code section 818.

FORTY-FOURTH AFFIRMATIVE DEFENSE

(Immunity of Public Entities)

As a separate and distinct affirmative defense, answering Defendants allege that they are not liable for an injury whether such injury arises out of an act or omission of the public entity or a public employee or any other person pursuant to Government Code Sections 815 and 820, et seq.

FORTY-FIFTH AFFIRMATIVE DEFENSE

(Immunity Under Government Code section 855.6)

As a separate and distinct affirmative defense, answering Defendants allege that they are immune from the causes of action in Plaintiff's operative Complaint due to the application of Government Code section 855.6.

FORTY-SIXTH AFFIRMATIVE DEFENSE

(Immunity Under Government Code section 856)

As a separate and distinct affirmative defense, answering Defendants allege that they are immune from the causes of action in Plaintiff's operative Complaint due to the application of Government Code section 856.

FORTY-SEVENTH AFFIRMATIVE DEFENSE

(Excessive, Unreasonable and Inflated Damages)

As a separate and distinct affirmative defense, answering Defendants assert that the damages alleged by Plaintiff are inflated in that the nature and extent of injuries and damages purportedly suffered by Plaintiff as a result of the events described in their operative Complaint are excessive, unreasonable and unnecessary.

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FORTY-EIGHTH AFFIRMATIVE DEFENSE

(Offset)

As a separate and distinct affirmative defense, answering Defendants allege that they are entitled to an offset and/or reduction as to any amounts paid in compensation for Plaintiff's alleged damages by way of contribution, settlement or judgment of any claims, incident or lawsuit.

FORTY-NINTH AFFIRMATIVE DEFENSE

(Self-Defense and Defense of Others)

As a separate and distinct affirmative defense, answering Defendants allege that the force used was caused and necessitated by the actions of the Plaintiff, and was reasonable and necessary for self-defense and defense of others.

FIFTIETH AFFIRMATIVE DEFENSE

(No Entitlement to Attorneys' Fees and Costs)

As a separate and distinct affirmative defense, answering Defendants allege that Plaintiff is not entitled to attorneys' fees and costs.

FIFTY-FIRST AFFIRMATIVE DEFENSE

(Other Defenses Reserved)

Defendants presently have insufficient knowledge or information upon which to form a belief as to whether it may have additional, as yet unstated, affirmative defenses available. Defendants reserve herein the right to assert additional affirmative defenses in the event discovery indicates that they would be appropriate.

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HURRELL CANTRALL LLP
725 S. FIGUEROA STREET, SUITE 3800
LOS ANGELES, CALIFORNIA 90017
TELEPHONE (213) 426-2000

1 WHEREFORE, answering Defendants pray for judgment as follows:

- 2 1. That Plaintiff takes nothing by reason of her Complaint and that judgment
3 be entered in favor of answering Defendants;
4 2. Plaintiff's Complaint be dismissed with prejudice;
5 3. That answering Defendants recover costs of suit incurred herein, including
6 reasonable attorneys' fees; and

7 For such other relief as the Court deems proper and just.

8 DATED: October 29, 2024

HURRELL CANTRALL LLP

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10
11 By: /s/ Janet J. Hur

12 THOMAS C. HURRELL

JANET J. HUR

13 JERAD J. MILLER

14 Attorneys for Defendants, COUNTY OF
15 LOS ANGELES, MARISOL BARAJAS,
16 AND HECTOR VAZQUEZ
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DEMAND FOR JURY TRIAL

DEFENDANTS COUNTY OF LOS ANGELES, MARISOL BARAJAS, AND
HECTOR VAZQUEZ hereby respectfully demand a trial by jury in the above-entitled
action. This demand is made as to all claims, matters and issues to which they may
legally be entitled to demand a jury.

DATED: October 29, 2024 HURRELL CANTRALL LLP

By: /s/ Janet J. Hur

THOMAS C. HURRELL

JANET J. HUR

JERAD J. MILLER

Attorneys for Defendants, COUNTY OF
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AND HECTOR VAZQUEZ

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